United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Richland

USA v. ANDRES GUTIERREZ   Case No.   4:21-MJ-7015-MKD-2

Video Conference
The Defendant agreed to appear via video conference.

Detention Hearing: **01/22/2021**

☒ Pam Howard, Courtroom Deputy [Y]	☒	Benjamin Seal, US Atty (video)
	☒	Robin Emmans, Defense Atty (video)
☒ Erica Helms, US Probation / Pretrial Services (tele)	☒	Interpreter – Natalia Rivera
☒ Defendant present ☒ in custody USM appearing by video from Benton County Jail	☐	Defendant not present / failed to appear

☒ Defendant continued detained	☐	Conditions of Release imposed
	☐	199C Advice of Penalties/Sanctions

REMARKS

Due the current COVID-19 public health crises, all parties including Defendant, appeared by video or teleconference.

Court has reviewed the pretrial services report and the filing by Defense counsel.

USA proffered the pretrial services report and concurs with its recommendation of continued detention of the Defendant.

USA outlines the drug conspiracy and advised the Court a large amount of drugs and cash were recovered from Defendant's apartment that he shared with his wife and small child and such conduct is a danger to the community. USA argues Defendant's lack of status in this country, prior deportations and the mandatory minimum Defendant could be facing will be an incentive to flee.

Court colloquy with USA regarding the amount of cash that was seized. USA responds $90,000 cash was seized.

Defense counsel argued why the Defendant should be released and proffers the letter in support of Defendant that was filed on the docket.

The Court ordered:
1. USA's Motion for Detention is **granted**. The presumption of detention has not been rebutted.
2. That there is no combination of conditions to assure the Defendant's appearance as required.
3. Defendant shall be detained by the U.S. Marshal until further order of the Court.